

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

07- 0 -0467

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES TO EXECUTE RENEWAL AGREEMENT NO. 3 WITH JORDAN, JONES & GOULDING, INC./DELON HAMPTON & ASSOCIATES, CHARTERED ENGINEERS/HATCH MOTT-MACDONALD, INC. - JV, FOR FC-7488-02, ENGINEERING DESIGN SERVICES FOR COMBINED SEWER OVERFLOW ("CSO") STORAGE TUNNEL FACILITIES (WEST), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with Jordan, Jones & Goulding, Inc./Delon Hampton & Associates, Chartered Engineers/Hatch Mott-Macdonald, Inc. - JV ("JDH Joint Venture"), for FC-7488-02, Engineering Design Services for Combined Sewer Overflow (CSO) Storage Tunnel Facilities (West), pursuant to Resolution 02-R-1869, effective February 14, 2003 through February 13, 2005; and

WHEREAS, the original term of the agreement was for two (2) years with four (4) one (1) year renewal options at the City's sole discretion; and

WHEREAS, Renewal Agreement No. 1 was executed pursuant to Ordinance 05-O-1664, effective February 14, 2005 through February 13, 2006; and

WHEREAS, Amendment Agreement No. 1 was executed pursuant to Resolution 05-R-1846, which increased the scope of the original agreement; and

WHEREAS, Renewal Agreement No. 2 was executed pursuant to Resolution 05-R-2325 and expired February 13, 2007; and

WHEREAS, Amendment Agreement No. 2 was executed pursuant to Resolution 06-R-2413; and

WHEREAS, the services provided under the Agreement are of such a nature as to be integral in order to comply with the Consent Decree; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer of the Department of Procurement have recommended the execution of Renewal Agreement No. 3 with JDH Joint Venture for FC-7488-02.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Mayor is authorized to execute Renewal Agreement No. 3 ("Agreement") with Jordan, Jones & Goulding, Inc./Delon Hampton & Associates, Chartered Engineers/Hatch Mott-Macdonald, Inc. – JV ("JDH Joint Venture") for FC-7488-02, Engineering Design Services for Combined Sewer Overflow (CSO) Storage Tunnel Facilities West Area.

SECTION 2: That the term of the Agreement will be for one (1) year with an effective date of February 14, 2007.

SECTION 3: That the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.

SECTION 4: That the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to JDH Joint Venture.

SECTION 5: That Article X of the City of Atlanta's Procurement and Real Estate Code is hereby waived to the extent that such applies to the authorization of Renewal Agreement No. 3.

SECTION 6: That all ordinances and parts of ordinances in conflict with this ordinance are waived for this instance only.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton

M S Middleton

Contact Number: 6207

Originating Department: Watershed Management

Committee(s) of Purview: City Utilities

Council Deadline: February 26, 2007

Committee Meeting Date(s): March 13, 2007 Full Council Date: March 19, 2007

Commissioner Signature

Robert J. Hunter ^{scP}

CAPTION

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FINANCIAL IMPACT (if any) \$00.00

Mayor's Staff Only

Received by Mayor's Office:

(date)

2.27.07

Reviewed by:

[Signature]

Submitted to Council:

(date)

3/2/07